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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/398,182	09/17/99	ROZLOSNIK	A D-1118R2
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EXAMINER

NOWLIN, A

ART UNIT

PAPER NUMBER

2876

DATE MAILED:

02/22/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

# Office Action Summary

Application No.

09/398,182

Applicant(s)

ROZLOSNIK ET AL.

Examiner

April A. Nowlin

Art Unit

2876

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 18) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Priority***

1. An application in which the benefits of an earlier application are desired must contain a specific reference to the prior application(s) in the first sentence of the specification (37 CFR 1.78), specifically U.S. Provisional Application 60/114,036 as referred to in the Declaration. The examiner notes on page 4 of the Application Transmittal of 9/17/99, that applicant has suggested such a statement. However due to the structure/form of the statement it is unclear the exact wording desired. It is suggested that the applicant use the statement "This application claims the benefit of U.S. Provisional Application No. 60/114,036 filed December 29, 1998".

### ***Specification***

2. The disclosure is objected to because of the following informalities: On page 17, lines 2 and 8 makes reference to an aperture 135 in figure 39, however figure 39 shows an aperture with reference number 125. Appropriate correction is required.
3. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-3, 5-8, and 10-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Caldwell (US 4,754,126) in view of McCall (US 6,112,981).

Caldwell discloses a night depository method and apparatus including the steps of conducting at least one transaction, fitting a panel (52) on an exterior surface of a deposit accepting machine, wherein a printer is housed in the panel (52) and issues a receipt including a record of the transaction. Conducting a transaction includes access to the depository (14) by inserting a card to a card reader and entering a personal identification number in the keyboard (36) which serves as an input device as recited in claims 10, 11, and 15 and by a conventional key lock (56). (See column 3, lines 59-64 and column 5, lines 46-51) A method further including the steps of inputting at least one amount on the keyboard (36) associated with the deposit, opening a depository door (22) and inserting the deposit into the machine. A receipt is deliver from a dispensing slot (40) wherein the receipt includes the amount of the deposit and other data related to the transaction.

Caldwell fails to teach a use of a cover extending from a receipt dispensing slot, wherein the cover includes an aperture.

McCall shows a method including the steps of extending a receipt intermediate of an exterior wall of the machine and a cover, which serves as an overlying member as recited in claims 1-16, wherein the cover includes an aperture therein sized for accepting a finger of a user. (See figure 1) The cover is facing downward wherein a receipt is moved downward by movement of the finger in the aperture. However, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to employ a night depository machine with a receipt delivery system, for the purpose of providing a user with a receipt including a record of a transaction as taught by Caldwell, including a cover. One would be motivated to add a cover with an aperture, as taught by McCall, to protect a receipt delivery system (i.e., minimize the infiltration of contaminants into the interior of the panel, prevents pulling out excessive paper, etc.).

3. Claims 4 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Caldwell as modified by McCall as applied to claim 1 above, and further in view of Imai et al. (US 5,898,155).

Caldwell as modified by McCall in paragraph 2 above fails to teach a receipt printed on paper supplied from a roll, wherein the paper is cut with a cutter to separate the receipt from the roll.

Imai et al. teaches an automated teller machine including a receipt printed on paper supplied from a paper roll (41A) and a cutter (52) for separating a receipt from the paper roll (41A). (See fig. 4 and col. 10, lines 7-10)

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to employ a night depository machine with a receipt delivery system including a paper roll and cutter. One would be motivated to incorporate a roll for space saving and a cutter to prevent a user for manually separating the receipt from the roll and jamming the paper. Such modification would have been an obvious extension as taught by Caldwell/McCall, and therefore an obvious expedient.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

McCall (US 6,112,981), Caldwell (US 4,754,126), Imai et al. (US 5,898,155), Dobring (US 5,613,788), Sugimoto et al. (US 5,923,357), Withrow (US 6,116,505), and Hamada et al. (US 5,184,000) discloses a receipt delivery system and a method for producing the same.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **April A. Nowlin** whose telephone number is **(703) 605-1219**. The examiner can normally be reached between the hours of 7:30AM to 4:00PM Monday thru Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee, can be reached on (703) 305-3503. The fax phone number for this Group is (703) 308-7722, (703) 308-7724, or (703) 308-7382.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [april.nowlin@uspto.gov].

*All Internet e-mail communications will be made of record in the application file.*


*PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.*

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is

(703) 308-0956.



April A. Nowlin  
Patent Examiner  
Art Unit 2876  
16 February 2001



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